

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

United States of America,

v.

Lamont Alvin McElveen

Crim. No. 4:03-cr-00473-TLW-1

**Order**

This matter is before the Court on Defendant's motion for a sentence reduction pursuant to the First Step Act of 2018 (FSA), passed by Congress and signed into law by the President on December 21, 2018. This law contains sentencing provisions that apply retroactively to defendants previously sentenced.

In Defendant's motion, he says that he is eligible for a reduced sentence, ECF No. 100, and the Government agrees, ECF No. 103. After careful review, the Court concludes that he is eligible for relief under the FSA and grants his motion.

Defendant was convicted at trial of a charge of Possession With Intent to Distribute 50 Grams or More of Cocaine Base in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), and 851. His statutorily-mandated sentence was life imprisonment. PSR ¶ 63. Absent the mandatory minimum, his Guidelines range at sentencing would have been 168–210 months. PSR ¶ 64. As required by statute, the Court imposed a sentence of life imprisonment, followed by a 10-year term of supervised release, which was also dictated by statute. ECF No. 57. On October 11, 2016, the President commuted Defendant's sentence of imprisonment such that it would expire on February 3, 2017. ECF No. 96 at 1. On February 3, 2017, he was released from custody and began serving his 10-year term of supervised release.

Pursuant to the FSA and as referenced in the Sentence Reduction Report (SRR) prepared by the U.S. Probation Office, Defendant's statutory supervised release term has been reduced from 10 years to 8 years, resulting in a corresponding change to his Guidelines term of supervised release. In his motion, he asks the Court to reduce his supervised release term to 8 years. The Government consents to the requested relief.

Pursuant to the FSA, for the reasons set forth in the motion and SRR, and in light of the Government's consent, Defendant's motion, ECF No. 100, is **GRANTED**. The Court will reduce his term of supervised release to 8 years. An amended judgment will follow.

**IT IS SO ORDERED.**

*s/ Terry L. Wooten*  
Terry L. Wooten  
Senior United States District Judge

May 22, 2019  
Columbia, South Carolina